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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION

Docket Number (Optional) AUS920030930US1

In re Application of: Childress et al.	
Application No.: 10/753,250	
Filed: January 8, 2004	
For: Method for Multidimensional Visual Correlation of Systems Management Data	
The owner*, IBM Corporation , of 100 percent interest in the instant application hereby disexcept as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/753,545 on 10 January 8, 2004 as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application binding upon the grantee, its successors or assigns.	beyond, filed erence owner y patent
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said ref application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disk in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.	r to the tion:
Check either box 1 or 2 below, if appropriate.	
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.	
2. The undersigned is an attorney or agent of record. Reg. No. <u>51886</u>	
/Cathrine K. Kinslow/ 2008-05-07 Signature Date	
·	
Cathrine K. Kinslow Typed or printed name	
972-385-8777	
Telephone Number	
Terminal disclaimer fee under 37 CFR 1.20(d) is included.	
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.	
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This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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